

401 KAR 59:315. Specific new sources.

RELATES TO: KRS 224.20-100, 224.20-110, 224.20-120, 42 U.S.C. 7401 et seq., 7407, 7408, 7410

STATUTORY AUTHORITY: KRS 224.10-100

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100 requires the Environmental and Public Protection Cabinet to prescribe administrative regulations for the prevention, abatement, and control of air pollution. This administrative regulation provides for the control of volatile organic compound emissions for specific new sources.

Section 1. Definitions. Terms used in this administrative regulation shall have the meaning given them in 401 KAR 59:001.

Section 2. Applicability. (1) 401 KAR 61:055, 401 KAR 61:090, 401 KAR 61:105, 401 KAR 61:110, 401 KAR 61:125, 401 KAR 61:130, 401 KAR 61:137, 401 KAR 61:155, and 401 KAR 61:175 shall apply to:

(a) Each affected facility commenced on or after the classification date defined in Section 1 of the corresponding administrative regulation and located in a county or portion of a county designated as nonattainment for ozone in 401 KAR 51:010, for any classification except marginal; and

(b) Each affected facility commenced on or after the effective date of this administrative regulation which is part of a major source located in a county or portion of a county designated attainment or marginal nonattainment for ozone in 401 KAR 51:010.

(2) Each affected facility commenced on or after the classification date defined in Section 1 of the corresponding administrative regulation but prior to the effective date of this administrative regulation which is part of a major source located in a county or portion of a county designated attainment or marginally nonattainment for ozone in 401 KAR 51:010 shall be exempt from this administrative regulation except that control devices and procedures required at the time it commenced shall continue to be maintained.

(3) If a requirement of any other administrative regulation of the Division for Air Quality is more stringent, then the more stringent requirement shall apply. (18 Ky.R. 2744; Am. 3354; eff. 6-24-92; TAm eff. 8-9-2007.)